

February 28, 2007

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**VIA ELECTRONIC FILING**

Marilyn R. Abbott  
U.S. International Trade Commission  
500 E Street, S.W.  
Washington, D.C. 20436

**Re: *Certain Baseband Process Chips and Chipsets, Transmitter and Receiver (Radio) Chips, Power Control Chips, and Products Containing Same, Including Cellular Telephone Handsets,***  
**Inv. No. 337-TA-543: Request to Appear at Public Hearing**

Dear Secretary Abbott:

On February 9, 2007, the Commission issued a Notice of Public Hearing in the above-captioned matter, 72 Fed. Reg. 7456 (February 15, 2007). Oscar Alcantara and I represented Intervenor Sprint Nextel Corporation during the remedy stage of this matter. Pursuant to the Notice, we hereby submit this request to appear and make an oral presentation at the public hearing, including the presentation of the testimony of witnesses, on behalf of Intervenor Sprint Nextel Corporation. A brief synopsis of the oral presentation and the testimony of witnesses is attached.

We also respectfully request that we be provided thirty (30) minutes for our presentation. We plan to present the testimony of two witnesses, who will testify as to the negative impact of a downstream exclusion order on Sprint Nextel Corporation and on the public interest. This is a matter of significance for Sprint Nextel Corporation, and sharing presentation time with the other five Intervenor, or only being allotted the 10 minutes provided to interested members of the public, would be insufficient to convey the company's positions on remedy and the public interest.

Portions of the witness testimony relate to confidential business information of Sprint Nextel Corporation. We will be submitting a separate request for *in camera* treatment of the testimony.

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Per the request in the Notice, our contact information, including e-mail addresses, is as follows:

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Please contact me with any questions.

Respectfully submitted,

/s/ Brian D. Fagel  
Brian D. Fagel

Attachment

cc: Parties on Certificate of Service (w/attachment)

## SYNOPSIS OF THE ORAL PRESENTATION OF SPRINT NEXTEL CORPORATION

Public Hearing, *In The Matter Of Certain Baseband Processor Chips And Chipsets, Transmitter And Receiver (Radio) Chips, Power Control Chips, And Products Containing Same, Including Cellular Telephone Handsets*, Inv. No. 337-TA-543

In this Investigation, Complainant Broadcom Corporation ("Broadcom") is seeking a broad exclusion order that would prohibit the importation of all wireless EV-DO handsets into the United States. Sprint Nextel Corporation ("Sprint Nextel") purchases these wireless EV-DO handsets, after importation by the handset manufacturers, for use on its nationwide high-speed EV-DO wireless network. EV-DO is the first, best, and most widely available mobile wireless broadband technology in the United States. EV-DO handsets are the only wireless handsets that work on Sprint Nextel's EV-DO wireless network, and Respondent Qualcomm Incorporated is the only manufacturer of the EV-DO chipsets that make the handsets operate. Accordingly, the downstream exclusion order sought by Broadcom would prevent Sprint Nextel from purchasing *any* wireless EV-DO handsets for use on Sprint Nextel's EV-DO wireless network, making it impossible for Sprint Nextel to realize the investment it has made in developing that network. This would substantially and negatively impact Sprint Nextel's business, causing financial and operational harm, as well as harm to consumers of Sprint Nextel's services. At the public hearing, Sprint Nextel plans to present the testimony of a company witness who will testify regarding the negative financial impact of the downstream exclusion order on Sprint Nextel.

Broadcom's proposed downstream exclusion order would also substantially and negatively impact the public interest. At the public hearing, Sprint Nextel plans to present the testimony of a company witness regarding the negative impact of the downstream exclusion order on numerous public safety and governmental entities, including first responders, that rely every day on Sprint Nextel's wireless networks, and on the availability of full-featured wireless handsets.